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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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Jui-Hsiang Lo

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NORTH AMERICA INTELLECTUAL PROPERTY CORPORATION

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MERRIFIELD, VA 22116

EXAMINER

CUTLER, ALBERT H

ART UNIT

PAPER NUMBER

2621

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
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3 MONTHS

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/605,657

Applicant(s)

LO, JUI-HSIANG

Examiner

Albert H. Cutler

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 October 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

This office action is responsive to Application 10/605657 filed on October 16, 2003. Claims 1-20 are pending in the application and have been examined.

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Specification

2. The disclosure is objected to because of the following informalities: Lack of clarity and precision due to typographical errors.

Consider paragraph 0002, "devicefor" should be written as "device for".

Appropriate correction is required.

Consider paragraph 0005, "However the prior art the conventional phone camera only provides" should be changed to, "However, the prior art of the conventional phone camera only provides", or something of similar nature in order to make the sentence comprehensible. Appropriate correction is required.

Consider paragraph 0008, "amethod" should be written as "a method".

Appropriate correction is required.

Consider paragraph 0016, "effectsto" should be written as "effects to".

Appropriate correction is required.

Consider paragraph 0023, "receives the editing image" should be written as "receives the edited image". Appropriate correction is required.

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Claim Objections

3. Claim 13 is objected to because of the following informalities: Lack of clarity and precision due to typographical errors.

The phrase "datacaptured" should be rewritten as "data captured". Appropriate correction is required.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

5. Claims 1-5, 13, 14, 19, and 20 are rejected under 35 U.S.C. 102(a) as being anticipated by Yonekura et al. (WIPO Publication WO 02/071733).

The examiner is relying on WIPO Publication 02/071733 as the grounds for this rejection. U.S. Patent Application Publication 2004/0110474 is the national stage application of this WIPO Publication filed under 35 U.S.C. 371, and is used by the examiner as an English language equivalent for WIPO Publication 02/071733. The examiner acknowledges that this is not an official translation.

Consider claim 1, Yonekura et al. teaches:

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An image editing device("attachment", 3, figures 1, 3-6, paragraphs 0075-0085, 0091-0145) for editing image data(The attachment(i.e. image editing device) contains application programs for converting(i.e. editing) the input image data. See paragraphs 0080-0083) captured by a phone camera("digital camera", 2), wherein the image editing device(3) is connected to the phone camera(2) and a mobile phone("cellular phone terminal", 4)(The attachment is connected to the cellular phone terminal(paragraph 0068, "a cellular phone terminal(4) to which the attachment(3) is connected") and to the camera(2)(The attachment(3) is connected to the camera(2) through USB, Bluetooth, infrared, or the like, see paragraphs 0096-0099)),

the phone camera(2, figures 8 and 9) comprising a housing(see figure 8, the housing is in the form of a wristwatch), and a connecting port(figure 9, "Ir Communication Module" 215(208)) installed on the housing(see figure 9, paragraph 0045),

the mobile phone(4) comprising a housing(4, see figure 1), and a connecting port(figure 2, "connector", 414, paragraph 0074) installed on the housing of the mobile phone(see figure 2, paragraph 0035),

the image editing device(3) comprising:

a housing(see figures 3A-3E);

a receiving module(figure 4, "Ir communication section" 305(309)) installed inside the housing(see figure 4, paragraph 0038) of the image editing device(3) for connecting to the connecting port(215) of the phone camera(2) and receiving data(The Ir

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communication modules(305(309) and 215(208)) perform two way transmission/reception of image data, paragraph 0089) from the phone camera(2);

an editing module("CPU" 313, and "ROM" 314, figure 5) installed inside the housing(figures 3A-3E) of the image editing device(3) for editing data(The ROM(314) contains conversion application programs that the CPU(313) uses for editing image data, paragraphs 0080-0083) received by the receiving module(305(309));

a memory("ROM" 314, "RAM" 315, figure 5) installed inside the housing(figures 3A-3E) of the image editing device(3) for storing data(inherent in a memory, the "ROM" stores application conversion programs, paragraph 0080);

a control module("CPU" 313) installed inside the housing(figures 3A-3E) of the image editing device(3) for controlling(The CPU(313) runs editing programs as well as the communication module, etc. paragraph 0079) the image editing device(3);

and an outputting module("cellular phone connector" 301, figure 4) installed inside the housing(figures 3A-3E) of the image editing device(3) for connecting to the connecting port(The connector(301) of the editing device(3) connects with the connector(414) of the mobile phone(4), paragraph 0042) of the mobile phone(4) and outputting data edited by the editing module(3) to the mobile phone(4)(The editing device(3) acts as a pathway by receiving data from the camera(2), editing it, and outputting it to the mobile phone(4), paragraphs 0091-0103, figures 10-12).

Consider claim 2, and as applied to claim 1 above, Yonekura et al. further teaches:

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a transmitting module(USB Port, 306, figure 4, see also figure 23) installed inside the housing(figures 3A-3E) of the image editing device(3) for connecting to a computer("Notebook Computer" 10) and transmitting data with the computer(The attachment(3) can also communicate with a notebook computer(10), paragraph 0117) .

Consider claim 3, and as applied to claim 2 above, Yonekura et al. further teaches:

the transmitting module communicates with the computer(10) in the Bluetooth wireless network protocol(In figure 5(3140), Bluetooth wireless network communication is taught as one of many of the communication protocols stored in the ROM(314) of the editing device(3), paragraph 0080)

Consider claim 4, and as applied to claim 2 above, Yonekura et al. further teaches that the transmitting module("Ir Communication Section" 305(309), figure 4) communicates with the computer(peripheral device, see figure 4) by infrared technology("data using the infrared ray is transmitted" paragraph 0099).

Consider claim 5, and as applied to claim 2 above, Yonekura et al. further teaches that the transmitting module(USB Port, 306, figure 4. The USB port is an additional option for the transmitting module.) contains a USB interface(paragraph 0117).

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Consider claim 13, Yonekura et al. teaches:

A method for editing image data(paragraphs 0075-0085, 0091-0145) captured by a phone camera(2, figure 1), wherein the phone camera(2) comprises a housing(see figure 8) and a connecting port(Ir Communication Module, 215(208)) installed on the housing of the phone camera(2), the method comprising:

- (a)providing an image editing device(3, figure 1)
- (b)transmitting data received captured the phone camera(2) to the editing device(see claim 1 rationale)
- (c)editing the data captured by the phone camera with the image editing device(see claim 1 rationale); and
- (d)transmitting the data edited by the image editing device to a mobile phone(4)(see claim 1 rationale).

Consider claim 14, and as applied to claim 13 above, Yonekura et al further teaches:

the image editing device(3) comprising:
a housing(see figures 3A-3E);
a receiving module(figure 4, "Ir communication section" 305(309)) installed inside the housing(paragraph 0038) of the image editing device(3) for connecting to the connecting port(215) of the phone camera(2) and receiving data(The Ir communication modules(305(309) and 215(208)) perform two way transmission/reception of image data, paragraph 0089) from the phone camera(2);

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an editing module("CPU" 313, and "ROM" 314, figure 5) installed inside the housing(figures 3A-3E) of the image editing device(3) for editing data(The ROM(314) contains conversion application programs that the CPU(313) uses for editing image data, paragraphs 0080-0083) received by the receiving module(305(309));

a memory("ROM" 314, "RAM" 315, figure 5) installed inside the housing(figures 3A-3E) of the image editing device(3) for storing data(inherent in a memory, the "ROM" stores application conversion programs, paragraph 0080);

a control module("CPU" 313) installed inside the housing(figures 3A-3E) of the image editing device(3) for controlling(The CPU(313) runs editing programs as well as the communication module, etc. paragraph 0079) the image editing device(3);

and an outputting module("cellular phone connector" 301, figure 4) installed inside the housing(figures 3A-3E) of the image editing device(3) for connecting to the connecting port(The connector(301) of the editing device(3) connects with the connector(414) of the mobile phone(4), paragraph 0076) of the mobile phone(4) and outputting data edited by the editing module(3) to the mobile phone(4)(The editing device(3) acts as a pathway by receiving data from the camera(2), editing it, and outputting it to the mobile phone(4), paragraphs 0091-0103, figures 10-12).

Consider claim 19, and as applied to claim 13 above, Yonekura et al. further teaches that the image editing device is a computer(The image editing is done by a CPU(i.e. a computer, 313, figure 4. This computer runs programs stored in ROM for image editing, see claim 13 rationale.)

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Consider claim 20, and as applied to claim 19 above, Yonekura et al. further teaches that the image editing device(3) is connected to the phone camera(2) and the mobile phone(4) by cables(Yonekura et al. teaches of a USB Port(306) for connecting to peripheral devices(i.e. a camera and the like). A USB Port would use USB cables. As for the mobile phone(4), a connector(414) of the phone(4) is connected to the matching connector(301) or the image editing device(3). Because the connection of the mobile phone(4) and the image editing device(3) is a physical connection, it is reasonable to suggest that it is done using cables.)

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

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8. Claims 6, 7, 15, and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yonekura et al.

Consider claim 6, and as applied to claim 1 above, Yonekura et al. teaches of communication modules with interface support for Bluetooth, USB, and infrared communication(see figure 5). Yonekura et al. also teaches, in paragraph 0082, that other communication interfaces can be loaded in order to communicate with other peripheral devices. However, Yonekura et al. does not explicitly teach that the receiving module of the image editing device contains a Pop-Port interface.

However, **Official Notice** (MPEP 2144.03) is taken that both the concepts and advantages of using a Pop-Port interface are well known and expected in the art. The Pop-Port interface is a new interface of the next generation of mobile phones and users. Pop-Port interface is designed for the mobile environment and supporting advanced functions including support of high-speed data connectivity with USB properties through Pop-Port interface compatible data cables.

Therefore, it would have been obvious to a person having ordinary skill in the art at the time of the invention to use a Pop-Port interface in the receiving module taught by Yonekura et al. for the advantage of enabling better compatibility between mobile phones and accessories.

Consider claim 7, and as applied to claim 1 above, Yonekura et al. teaches of communication modules with interface support for Bluetooth, USB, and infrared

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communication(see figure 5). Yonekura et al. also teaches, in paragraph 0082, that other communication interfaces can be loaded in order to communicate with other peripheral devices. However, Yonekura et al. does not explicitly teach that the outputting module of the image editing device contains an RS-232 interface.

However, **Official Notice** (MPEP 2144.03) is taken that both the concepts and advantages of using an RS-232 interface are well known and expected in the art. The RS-232 interface is a standard feature for serial communications, such as modem connections, on many computers. RS-232 has largely been supplanted by other interface standards in computer products, although it is still used to connect legacy peripherals, industrial equipment (such as based on PLCs), and console ports. RS-232 is still quite common in point-of-sale (cash drawers, barcode, and magnetic stripe readers), amateur electronics and industrial measurement and remote-control devices, so computers made for such applications are still equipped with RS-232 ports.

Therefore, it would have been obvious to a person having ordinary skill in the art at the time of the invention to use an RS-232 interface in the receiving module taught by Yonekura et al. for the advantage of enabling better compatibility between mobile phones and accessories by enabling connection with legacy peripherals.

Consider claim 15, and as applied to claim 14 above, Yonekura et al. teaches of communication modules with interface support for Bluetooth, USB, and infrared communication(see figure 5). Yonekura et al. also teaches, in paragraph 0082, that other communication interfaces can be loaded in order to communicate with other

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peripheral devices. However, Yonekura et al. does not explicitly teach that the receiving module of the image editing device contains a Pop-Port interface.

However, **Official Notice** (MPEP 2144.03) is taken that both the concepts and advantages of using a Pop-Port interface are well known and expected in the art. The Pop-Port interface is a new interface of the next generation of mobile phones and users. Pop-Port interface is designed for the mobile environment and supporting advanced functions including support of high-speed data connectivity with USB properties through Pop-Port interface compatible data cables.

Therefore, it would have been obvious to a person having ordinary skill in the art at the time of the invention to use a Pop-Port interface in the receiving module of the image editing device taught by Yonekura et al. for the advantage of enabling better compatibility between mobile phones and accessories.

Consider claim 16, and as applied to claim 14 above, Yonekura et al. teaches of communication modules with interface support for Bluetooth, USB, and infrared communication(see figure 5). Yonekura et al. also teaches, in paragraph 0082, that other communication interfaces can be loaded in order to communicate with other peripheral devices. However, Yonekura et al. does not explicitly teach that the outputting module of the image editing device contains an RS-232 interface.

However, **Official Notice** (MPEP 2144.03) is taken that both the concepts and advantages of using an RS-232 interface are well known and expected in the art. The RS-232 interface is a standard feature for serial communications, such as modem

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connections, on many computers. RS-232 has largely been supplanted by other interface standards in computer products, although it is still used to connect legacy peripherals, industrial equipment (such as based on PLCs), and console ports. RS-232 is still quite common in point-of-sale (cash drawers, barcode, and magnetic stripe readers), amateur electronics and industrial measurement and remote-control devices, so computers made for such applications are still equipped with RS-232 ports.

Therefore, it would have been obvious to a person having ordinary skill in the art at the time of the invention to use an RS-232 interface in the outputting module of an image editing device as taught by Yonekura et al. for the advantage of enabling better compatibility between mobile phones and accessories by enabling connection with legacy peripherals.

9. Claims 8, 11, 12, 17, and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yonekura et al. in view of Endo(US Patent 6,965,403).

Consider claim 8, and as applied to claim 1 above, Yonekura et al. teaches that the image editing device contains a housing(figures 3A-3E). However, Yonekura et al. does not explicitly teach that the housing contains a plurality of control buttons for inputting a control signal.

Like Yonekura et al., Endo also teaches of an image editing device(figures 2, 3, 14, and 15, column 7, line 60 through column 8, line 4, column 9, lines 55-64). Also like Yonekura et al., Endo teaches that the image editing device contains an image

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conversion circuit(66, figure 1) for converting image size and gradation levels, and a USB connector(68, figure 1) for establishing an external connection with a computer.

However, unlike Yonekura et al., Endo teaches that the housing(70, figure 2, figures 14-15) contains a plurality of control buttons(130, 132, and 134 of figures 14-15. The control buttons of figure 2 are soft keys which are operated using the pen(72), see figures 7-13, "menu", "edit", "display", and "tool") for inputting a control signal("In figure 7 there is shown a key input device 136 for **controlling** the cursor key switch 130, set key switch 132, and mode key switch 134.").

Therefore it would have been obvious to a person having ordinary skill in the art at the time of the invention to use the plurality of control buttons taught by Endo on the housing of image editing device taught by Yonekura et al. in order to be able to perform functions on the data manually, choose which images to edit, organize images, and conserve memory by only saving desired images(column 4, lines 26-29, column 8, lines 27 through column 9, line 20, column 9, lines 56-64).

Consider claim 11, and as applied to claim 1 above, Yonekura et al. teaches of an image editing device comprising a housing(see claim 1 rationale).

However, Yonekura et al. does not explicitly teach that a touch panel is installed on the housing for inputting a control signal.

Like Yonekura et al., Endo also teaches of an image editing device(figures 2, 3, 14, and 15, column 7, line 60 through column 8, line 4, column 9, lines 55-64). Also like Yonekura et al., Endo teaches that the image editing device contains an image

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conversion circuit(66, figure 1) for converting image size and gradation levels, and a USB connector(68, figure 1) for establishing an external connection with a computer.

However, unlike Yonekura et al., Endo teaches that a touch panel("digitizer" 42, figures 2 and 3, column 7, line 60 through column 8, line 4) is installed on the housing("external casing" 70). Endo teaches that the touch panel allows for character input and position designation on the digitizer(42) using the pen(72)(column 7 lines 63-64). The touch panel, in correlation with the pen is used to select menu items, and the selected menus are read from ROM(36, figure 1) and executed by the CPU(20, figure 1, column 8, lines 28-40). One of such programs is an "editing" program.

Therefore it would have been obvious to a person having ordinary skill in the art at the time of the invention to include the touch panel for inputting a control signal as taught by Endo on the housing of image editing device taught by Yonekura et al. in order to be able to perform functions on the data manually, choose which images to edit, organize images, and conserve memory by only saving desired images(column 4, lines 26-29, column 8, lines 27 through column 9, line 20).

Consider claim 12, and as applied to claim 1 above, Yonekura et al. further teach:

a power supply module("Power Circuit" 317, figure 4, paragraph 0045) installed inside the housing(figures 3A-3E) of the image editing device(3) for receiving electric power(The power circuit(317) is connected to the battery(i.e. electric power), paragraph 0045) and supplying the electric power to the image editing device(The power supply

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module(317) supplies power to the image editing device(3), and monitors the battery capacity(paragraph 0060)).

However, although Yonekura et al. do not explicitly teach that the electric power is external electric power.

Like Yonekura et al., Endo also teaches of an image editing device(figures 2, 3, 14, and 15, column 7, line 60 through column 8, line 4, column 9, lines 55-64). Also like Yonekura et al., Endo teaches that the image editing device contains an image conversion circuit(66, figure 1) for converting image size and gradation levels, and a USB connector(68, figure 1) for establishing an external connection with a computer.

Endo teaches that the main body of the image editing device(figures 2 and 3) is placed in a cradle(80, figure 4). Power supply connectors(52a and 52b) are used to supply external power from the cradle(80) to the image editing device(column 7, line 47 through column 8, line 9).

Therefore it would have been obvious to a person having ordinary skill in the art at the time of the invention to supply external power as taught by Endo to the power supply module taught by Yonekura et al. so that cost-saving rechargeable batteries could be utilized and charged by the external power supply(column 7, lines 53-59).

Consider claim 17, and as applied to claim 14 above, Yonekura et al. teaches that the image editing device contains a housing(figures 3A-3E). However, Yonekura et al. does not explicitly teach that the housing contains a plurality of control buttons for inputting a control signal.

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Like Yonekura et al., Endo also teaches of an image editing device(figures 2, 3, 14, and 15, column 7, line 60 through column 8, line 4, column 9, lines 55-64). Also like Yonekura et al., Endo teaches that the image editing device contains an image conversion circuit(66, figure 1) for converting image size and gradation levels, and a USB connector(68, figure 1) for establishing an external connection with a computer.

However, unlike Yonekura et al., Endo teaches that the housing(70, figure 2, figures 14-15) contains a plurality of control buttons(130, 132, and 134 of figures 14-15. The control buttons of figure 2 are soft keys which are operated using the pen(73), see figures 7-13, "menu", "edit", "display", and "tool") for inputting a control signal("In figure 7 there is shown a key input device 136 for **controlling** the cursor key switch 130, set key switch 132, and mode key switch 134.").

Therefore it would have been obvious to a person having ordinary skill in the art at the time of the invention to use the plurality of control buttons taught by Endo on the housing of image editing device taught by Yonekura et al. in order to be able to perform functions on the data manually, choose which images to edit, organize images, and conserve memory by only saving desired images(column 4, lines 26-29, column 8, lines 27 through column 9, line 20, column 9, lines 56-64).

Consider claim 18, and as applied to claim 14 above, Yonekura et al. teaches of an image editing device comprising a housing(see claim 1 rationale).

However, Yonekura et al. does not explicitly teach that a touch panel is installed on the housing for inputting a control signal.

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Like Yonekura et al., Endo also teaches of an image editing device(figures 2, 3, 14, and 15, column 7, line 60 through column 8, line 4, column 9, lines 55-64). Also like Yonekura et al., Endo teaches that the image editing device contains an image conversion circuit(66, figure 1) for converting image size and gradation levels, and a USB connector(68, figure 1) for establishing an external connection with a computer.

However, unlike Yonekura et al., Endo teaches that a touch panel("digitizer" 42, figures 2 and 3, column 7, line 60 through column 8, line 4) is installed on the housing("external casing" 70). Endo teaches that the touch panel allows for character input and position designation on the digitizer(42) using the pen(72)(column 7 lines 63-64). The touch panel, in correlation with the pen is used to select menu items, and the selected menus are read from ROM(36, figure 1) and executed by the CPU(20, figure 1, column 8, lines 28-40). One of such programs is an "editing" program.

Therefore it would have been obvious to a person having ordinary skill in the art at the time of the invention to include the touch panel for inputting a control signal as taught by Endo on the housing of image editing device taught by Yonekura et al. in order to be able to perform functions on the data manually, choose which images to edit, organize images, and conserve memory by only saving desired images(column 4, lines 26-29, column 8, lines 27 through column 9, line 20).

10. Claims 9, 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yonekura et al. in view of Endo as applied to claim 8 above, and further in view of Kurashige et al(US Patent 6,181,384).

Consider claim 9, and as applied to claim 8 above, Yonekura et al. teaches of an image editing device(see claim 1 rationale) and Endo teaches of a plurality of control buttons installed on the housing of an image editing devise for inputting a control signal(see claim 8 rationale).

However, neither Yonekura et al. nor Endo explicitly teaches that the editing module further comprises a special effects program.

Like Yonekura et al. and Endo, Kurashige et al. also teaches of an image converting apparatus for converting image data(column 3, lines 39-49, column 9 line 31 through column 13, line 17, figures 14-18). Kurashige teaches that conventional special effects including enlarging an image, shading an image, or color converting an image, are used to create a more visually impressive image. In addition to what is taught by Yonekura et al. and Endo, the device of Kurashige provides a special effects image editing system(figure 18, column 12, line 36 through column 13, line 17). The device of Kurashige et al. provides special effects by changing the color of the input image using the system shown in figure 18.

Therefore, it would have been obvious to a person having ordinary skill in the art at the time of the invention to use the special effects program and implementation devices as taught by Kurashige et al. in the image editing device taught by the combination of Yonekura et al. and Endo in order to obtain a more interesting and visually impressive image(column 1, lines 30-34).

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Consider claim 10, and as applied to claim 9 above, Yonekura et al. teach of an image editing device(see claim 1 rationale), but do not explicitly teach that the image editing device contains a plurality of control buttons comprising a hot key for activating a special effects program.

Endo teaches of a plurality of control buttons(see claim 8 rationale) which comprise a hot key("Edit", figure 6) for activating an editing program(column 8, lines 22-27).

Conversely, the combined invention of Yonekura et al. and Endo does not explicitly teach that the program activated by the hot key is a special effects program.

However, Kurashige et al. teaches of the benefit of using a special effects program(see claim 9 rationale). Kurashige et al. also teaches of using a control panel(control panel, 78, figure 18) for activating the special effects program(column 12, line 66 through column 13, line 6). Therefore, it would be reasonable to suggest that a hot key taught by Endo could be used in the control panel taught by Kurashige et al. in order to activate a special effects program.

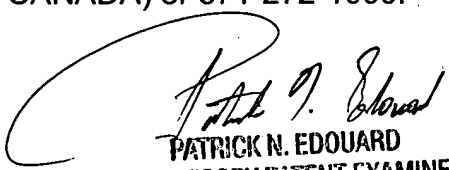
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Albert H. Cutler whose telephone number is (571)-270-1460. The examiner can normally be reached on Mon-Fri (7:30-5:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Patrick Edouard can be reached on (571)-272-7603. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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